

Better law-making 2005: application of the principles of subsidiarity and proportionality.

13th annual report

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The Committee on Legal Affairs adopted the initiative report by Bert **DOORN** (EPP-ED, NL) in response to the Commission's communication on the action programme for reducing administrative burdens in the European Union ("Better law-making").

The report underlines the importance of Community institutions and Member States, through regional and local authorities as well as at central ministerial level, keeping a permanent watch on the application of the subsidiarity and proportionality principles.

The committee welcomes the Commission's action programme to measure the administrative cost for undertakings in Europe and to reduce needless and disproportionate administrative burdens by 25% by 2012. However, it does note that the strategy for a 25% reduction refers to needless administrative burdens for undertakings and cannot, therefore, be equated to a deregulation, nor lead to a change in the policy objectives and level of ambition contained in Community legislation.

It emphasises, in particular, that an effective strategy for the reduction of unnecessary European administrative burdens must be implemented both by the Commission, as regards unnecessary administrative burdens arising from European regulations and directives, and by the Member States, as such burdens arising from national legislation.

The Parliament is greatly concerned by the fact that the Commission proposes to limit the scope of the action programme to obligations of businesses, it considers, however, that the strategy for development and employment requires the action programme to cover all administrative burdens. It welcomes the identification by the Commission of 13 priority areas where the administrative costs are to be measured and unnecessary administrative burdens to be reduced as a pragmatic and effective approach. It also calls on the Commission, in the longer term, to also measure the administrative costs and reduce unnecessary administrative burdens outside these priority areas.

The Commission is invited to publish each year the measures adopted and the measures planned to reduce unnecessary administrative burdens in the EU, the increase in administrative burdens in the EU arising from new regulations and the envisaged net contribution of these measures to the attainment of the target reduction of 25% by 2012.

The committee supports the Commission's efforts to chart the unnecessary administrative burdens arising from new European legislation through the integration of the Standard Cost Method (SCM) in the impact assessment procedure. It considers it essential that stakeholders help to gather the information required for the use of the SCM.

The committee emphasises that Parliament should not take into consideration any legislative proposals from the Commission that are not accompanied by an independently scrutinised impact assessment that includes an evaluation of the existence of any unnecessary administrative burden through the SCM.

Lastly, the committee proposes that appropriations recently released in the EU Budget for a pilot project minimizing administrative burdens be used to set up an independent panel of experts to monitor the

quality of opinions delivered by the Impact Assessment Board (IAB) by means of spot checks, notably as regards the charting of unnecessary administrative burdens, and to supervise the implementation of the European action programme to reduce administrative burdens.